

*Lodged Proposed Order***FILED**

2012 JUL -2 AM 10:40

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELESBY                     

1 **LAURACK D. BRAY**  
2 **P.O. Box 611432**  
3 **Los Angeles, California 90061**  
4 **(805) 901-2693**

5 **Plaintiff Pro Se**

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7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

**CV12-5704****(RZ)**10 **LAURACK D. BRAY**NO.                     11 **Plaintiff,**12 **v.**

**EX-PARTE MOTION TO PROCEED IN**  
**FORMA PAUPERIS PURSUANT TO**  
**28 U.S.C. sec. 1915 (a)(1) and (d)**  
**AND DECLARATION IN SUPPORT**  
**THEREOF**

13  
14 **DEPARTMENT OF JUSTICE, et al.**15  
16 **Defendants.**  
17

18 Pursuant to 28 U.S.C. secs. (a)(1) and (d) and F.R.C.P. 4(c)(3), Plaintiff hereby  
19  
20 moves the Court to proceed in forma pauperis, including but not limited to the  
21  
22 commencement and prosecution of the herein and above-entitled case,  
23  
24 including the provision of service of process by the Marshall or "officers of the  
25  
26 court" and the waiver of a security bond (especially in regard to the respective  
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28 TRO and injunctive relief sought in conjunction with this motion) on the grounds  
that :

- 1 1. It is the government's actions and/or conduct that have caused Plaintiff to
- 2 have to move for indigent status in the first instance.
- 3
- 4 2. Indigent status will help prevent further irreparable harm.
- 5

6 WHEREFORE, Plaintiff requests to be granted in forma pauperis status for

7 all purposes in the above-entitled case until further notice.

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10 **POINTS AND AUTHORITIES IN SUPPORT OF MOTION**

11 Plaintiff fully relies on 28 U.S.C. sec. 1915 and F.R.C.P. , Rule 4 (c)(3) as

12 authorities for this Motion.

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15 **THE GOVERNMENT'S CONDUCT HAVE CAUSED PLAINTIFF TO PROCEED IN**

16 **FORMA PAUPERIS AND CONTRIBUTES HIS IRREPARABLE HARM**

17 Both the state and federal governments have, to a majority extent,

18 caused Plaintiff to proceed in forma pauperis at this time. State

19 government action or conduct began Plaintiff's decline and the federal

20 government's actions kept it going. Without going into the detailed history

21 of the conduct, suffice it to say that it began with Plaintiff's unlawful

22 eviction from his home- law office. Plaintiff's personal and professional life

23 has, for the most part, been in the decline mode ever since, with the pace

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1 of decline being steady at times, rather than rapid. The fact that, as an  
2 attorney, Plaintiff is moving in forma pauperis (but was not so moving prior  
3 to his eviction—even soon after the eviction when he began proceedings to  
4 try and reverse the eviction), speaks for itself. So, this should provide the  
5 Court good reason to grant Plaintiff relief.  
6  
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8

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10 II

11 **INDIGENT STATUS WILL HELP PREVENT PLAINTIFF FROM CONTINUING**  
12 **TO SUFFER IRREPARABLE HARM**

13 Plaintiff should not have to deplete what little resources he has in order  
14 to prosecute this case, because it would only serve to mask the  
15 government's misconduct and contribute to Plaintiff's irreparable harm.  
16 For instance, Plaintiff has named multiple Defendants in this case, both  
17 state and federal. It would only contribute to Plaintiff's irreparable harm  
18 for Plaintiff to have to sacrifice to pay for or otherwise provide, service of  
19 process, when indigent status requires the U.S. Marshall to effectuate  
20 service of process, "Under Federal Rule of Civil Procedure 4(c)(2)(B)(i) a  
21 party proceeding in forma pauperis is entitled to have the summons and  
22 complaint served by the U.S. Marshal (citation omitted)." Puett v.  
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## CONCLUSION

July 1, 2012  
Date

Laurack D. Bray  
LAURACK D. BRAY